IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4697 OF 2004

Dayaram Mohan Valodra ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. Laxman P. Kanal, for the Applicant.

Mr. V.B. Konde Deshmukh, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

1st November 2004

P.C.:

. Heard Counsel for the parties. Perused the record. I see no reason to depart from the conclusion reached by the Court below in rejecting the bail application preferred by the Applicant herein. Having regard to the seriousness of the offence and the overwhelming material on record, no case for grant of bail. The argument canvassed before me that there is unexplained delay in lodging the F.I.R.

complaining about the offences under section 376 of the I.P.C. does not commend to me. The prosecutrix has explained the circumstances in which she did not think it appropriate to lodge the complaint of offence under section 376 of the I.P.C. The said explanation at this stage will have to be accepted as it is. If it is so, the delay has been duly explained by the prosecution. As mentioned earlier, having regard to the seriousness of the offence and the overwhelming materials against the Applicant, not a case for bail. Hence, this application is rejected. The Principal Judge, City Civil and Sessions Court, Mumbai, is directed toassign the case to Fast Track Court to ensure early disposal of the case.

(A.M.KHANWILKAR,J.)